

Message Text

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PAGE 01 STATE 005244
ORIGIN EUR-12

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DRAFTED BY EUR/SE:EDSMITH/LLL
APPROVED BY EUR/SE:NCLEDSKY
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-----110033Z 129152 /70
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FM SECSTATE WASHDC
TO AMEMBASSY ANKARA

C O N F I D E N T I A L STATE 005244

E.O. 11652: GDS

TAGS: THGA, ETRD, MILI, PFOR, TU, US

SUBJECT: LOCKHEED AND TURKEY

REF: A. STATE 1472 B. STATE 313363

1. TURKISH DCM NURES IN CONVERSATION WITH DIRECTOR OF EUR/SE JANUARY 7 REFERRED TO LOCKHEED MATTER AND PREVIOUS CONVERSATION ON THIS SUBJECT OF JANUARY 3 (REFTEL A). NURES SAID THAT IN JANUARY 3 CONVERSATION HE HAD NOT MADE CLEAR THAT TURKISH AMBASSADOR ESENBEL HAD SPOKEN WITH OFFICIALS OF DEPARTMENT OF JUSTICE DECEMBER 23 ABOUT LOCKHEED DOCUMENTS.
2. NURES EXPLAINED THAT ESENBEL TOLD DEPARTMENT OF JUSTICE PASSING DOCUMENTS TO A PARLIAMENTARY COMMISSION BY THE TURKISH MINISTRY OF JUSTICE HAD BEEN AN "OVERSIGHT" (BECAUSE IN TURKISH EYES SUCH COMMISSIONS HAVE LAW ENFORCEMENT FUNCTIONS) AND WAS NOT AN "INTENTIONAL VIOLATION" OF CONFIDENTIAL

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PAGE 02 STATE 005244

BILATERAL DOJ-MOJ AGREEMENT.

3. ASSURANCES WERE GIVEN BY ESENBEL DECEMBER 23 THAT SUCH ACTION WOULD NOT BE REPEATED. HE EXPLAINED THAT THE TEMPORARY SUSPENSION OF THE AGREEMENT WAS CAUSING POLITICAL TENSION IN TURKEY AND UNFAVORABLE PUBLICITY FOR THE GOVERNMENT. ESENBEL REQUESTED THE DEPARTMENT OF JUSTICE TO RE-

SUME THE TRANSMISSION OF LOCKHEED DOCUMENTS.

4. DEPARTMENT OF JUSTICE HAS SUBSEQUENTLY CONFIRMED TO THE DEPARTMENT THAT IN THE DECEMBER 23 MEETING WITH ESENBEL, NO MENTION WAS MADE OF "OVERSIGHT" NOR WAS ANY ARGUMENT MADE THAT THE PASSING OF THE DOCUMENTS TO THE PARLIAMENTARY COMMISSION WAS NOT AN "INTENTIONAL VIOLATION". RATHER, THE BURDEN OF ESENBEL'S REMARKS WAS THAT THE PASSING OF THE DOCUMENTS WAS LEGAL BECAUSE THE TURKISH MOJ WAS REQUIRED UNDER THEIR LAW TO COOPERATE WITH THE PARLIAMENTARY COMMISSION AND THAT THEREFORE, THERE HAD BEEN NO VIOLATION OF THE AGREEMENT. IN LIGHT OF THESE REMARKS, THE DOJ DID NOT REGARD ESENBEL'S ASSURANCE THAT SUCH ACTION WOULD NOT BE REPEATED AS SUFFICIENT FOR THE RESUMPTION OF THE TRANSFER OF DOCUMENTS.

5. WE BELIEVE THE TURKISH EMBASSY UNDERSTANDS THE POSITION OF THE DOJ AND HAS SO INFORMED ANKARA. NURES STATED THAT THE EMBASSY IS AWAITING FURTHER INSTRUCTIONS FROM ANKARA.

KISSINGER

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NNN

Message Attributes

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Control Number: n/a
Copy: SINGLE
Sent Date: 10-Jan-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
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Disposition Approved on Date:
Disposition Case Number: n/a
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